

**REMARKS**

**INTRODUCTION:**

In accordance with the foregoing, claims 1, 4, 11, 18, 20, 21, 28, 47-51 have been amended and claims 55-58 have been added. Support for the amended claims and the new claim may be found at least at FIG. 2 and paragraphs [0028], [0029] and [0030] of the present application, and therefore no new matter has been presented. Claims 32-35 have been cancelled without prejudice to or disclaimer of the subject matter recited therein.

Claims 1-12, 18-26, 28, 30, 32-43, 47-51, 53, 54 and 55-58 are therefore pending in the present application. Claims 1, 4, 18, 28, 47, 49, 51 and 55 are independent claims. Applicant requests reconsideration and allowance of the present application in view of the foregoing amendments and the following remarks.

**REJECTION UNDER 35 USC 103:**

Claims 1-12, 18-26, and 47-50 stand rejected under U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,825,726 to Hwang et al. (Hwang) in view of U. S. Patent No. 6,205,112 to Weidner ("Weidner"). Claims 28, 30, 32-43, 51, 53, and 54 are rejected under U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,754,248 to Faroudja ("Faroudja"), in view of Hwang et al. in further in view of Weidner. Applicant respectfully traverses the rejections.

Amended independent claim 4 recites at least the following:

selecting separate ones of the plurality of disc recording formats for each of the corresponding data to record each of the data on the optical storage medium, the optical storage medium being a single side of an optical storage disc;  
recording each of the data on the optical storage medium in the corresponding selected disc recording format;

Hwang, Weidner and Faroudja, taken separately or in combination, fail to suggest or disclose at least the above-recited features of amended independent claim 4.

The Office Action notes that Hwang "does not teach different formats of different types of data," and that all the formats described in Hwang "correspond to one type." However, the Office Action proposes to modify Hwang with Weidner, and asserts that Weidner compensates

for the deficiencies of Hwang by teaching "recording of multiple formats of data on the same disc."

Applicant respectfully disagrees with the assertion that Weidner compensates for the deficiencies of Hwang. Weidner is directed to "a dual-sided optical disc having different formats on opposing sides" (col. 2, lines 15-18). Weidner describes multiple embodiments having data encoded in a first format on one side and data encoded in a second format on the opposing side. For example, at col. 4, lines 1-30, Weidner provides these examples of different data formats recorded on opposing sides of a disc:

- F. Full-Length Motion Picture+Karaoke
- G. Full-Length Motion Picture+Still Photos
- H. Full-Length Motion Picture+Audio+Computer Game
- I. Music Videos + Audio
- J. Audio + Computer Game

As illustrated by the examples, Weidner does not teach recording a plurality of formats on a single side of a disc. Accordingly, Weidner fails to suggest or disclose all of the above recited features of amended claim 4.

Faroudja is directed to a "universal" recording and transmission system in which both 24 fps (or 25 fps) motion picture film sources and non-film interlaced or progressively-scanned video sources, employing any one of several international television standards (e.g., NTSC, PAL, HDTV/ATV, etc.), are all recorded or transmitted as progressively-scanned video at a nominal frame rate of 24 or 25 frames per second (i.e., 24 Hz or 25 Hz). (See *Faroudja*, e.g., at Abstract, and col. 2, lines 19-28). Additionally, Faroudja discloses recording and reproducing coded bit streams on and from a recording medium with sufficient bandwidth, including DVDs. (See *Faroudja*, e.g., at col. 3, lines 5-14). However, Faroudja fails to compensate for the noted deficiencies of Hwang and Weidner as noted on page 17 of the Final Office Action mailed on November 13, 2006.

Amended independent claim 4 further recites at least the following:

adding information regarding the selected disc recording format to the optical storage medium whenever each data is recorded in the corresponding one of the selected disc recording formats;

Hwang, Weidner and Faroudja, taken separately or in combination, fail to suggest or disclose at least the above-recited features of amended independent claim 4.

The Office Action asserts that Hwang describes the above-recited features at col. 2, lines 27-71. Applicant respectfully disagrees. The cited portion of Hwang states:

"For example, if an audio compact disc is structured to have one lead-in area and one lead-out area and has five music programs in the program area, the disc is structured as a single-session mult-track disc (i.e. a single session that has five tracks)."

Applicant asserts the above-cited text from Hwang fails to describe "adding information regarding the selected disc recording format to the optical storage medium," as recited above. In fact, the Office Action notes that Hwang "does not teach different formats of different types of data." Therefore, Hwang cannot describe "adding information regarding the selected disc recording format" when the format is selected from "a plurality of disc recording formats" as in the above-recited claim language.

Weidner, as asserted above, only describes different data formats recorded on opposing sides of a disc. Accordingly, Weidner would have no reason to include information regarding "a plurality of disc recording formats" on a single side of a disc.

Faroudja fails to compensate for the noted deficiencies of Hwang and Weidner.

Accordingly, Applicants respectfully submit that amended independent claim 4 patentably distinguishes over Hwang, Weidner and Faroudja and should be allowable for at least the above-mentioned reasons. Since similar features recited by each of the amended independent claims 1, 18, 29, 47, 49 and 51, with potentially differing scope and breadth, are not taught or disclosed by Hwang, Weidner and Faroudja, the rejection should be withdrawn and claims 1, 18, 29, 47, 49 and 51 also allowed.

Further, Applicants respectfully submit that claims 2, 3, 5-12, 20-26, 30, 36-39, 40-43, 48, 50, 53 and 54, which variously depend from independent claims 1, 4, 18, 29, 47, 49 and 51 should be allowable for at least the same reasons as claims 1, 4, 18, 29, 47, 49 and 51, as well as for the additional features recited therein.

NEW CLAIM:

New independent claim 55 includes at least "recording first data in a first recording format and second data in a second recording format on a single side of the optical disc regardless of a type of the optical disc." New dependent claims 56-59 depend from and include all of the features of claim 55, as well as additional features. Therefore, it is submitted that the new claims patentably distinguishes over the prior art.

CONCLUSION:

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.


Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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